

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11045-GAO

MICHAEL BAEZ,  
Plaintiff,

v.

MICHAEL MALONEY, ET AL.,  
Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION**

September 20, 2007

O'TOOLE, D.J.

After review of the defendants' motion for summary judgment, the plaintiff's opposition thereto, the report and recommendation of the magistrate judge regarding the motion, and the plaintiff's response (taken as an objection) to the recommendation, I agree with the magistrate judge that there is no genuine trial-worthy issue of fact and that on the undisputed factual record the defendants are entitled to judgment in their favor as a matter of law. I ADOPT the report and recommendation of the magistrate judge. Accordingly, the motion for summary judgment (dkt. no. 43) is GRANTED and judgment shall enter accordingly.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.  
United States District Judge